

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 8679-AG09-1009-216

IN THE MATTER OF:

Mark Kirchoff,
Respondent,

3324 Concord Hennings Mill Rd
Williamsburg, OH 45176

Type of Agency Action: Enforcement

License Number: 394703

FILED
NOV 17 2009
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER AND APPROVAL

The Indiana Department of Insurance ("Department") and Mark Kirchoff, ("Respondent"), a non-resident insurance producer, signed an Agreed Entry which purports to resolve all issues involved in the above cause number, and which has been submitted to the Commissioner of Insurance (the "Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.


IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioner of Insurance:

1. The Department received a complaint from Betty Shelton wherein she stated that Respondent had facilitated the sale of a fraudulent certificate of deposit for

\$15,000 to her mother, Ruth Huneke, supposedly offered through First Palmetto Savings Bank of Columbia, South Carolina.

2. Respondent has made full restitution to Mrs. Huneke.
3. Respondent's non-resident producer's license 394703 is hereby permanently revoked.

ALL OF WHICH IS ORDERED this 17th day of November, 2009.



Carol Cutter, Commissioner
Indiana Department of Insurance

Distribution:

Mark Kirchoff
3324 Concord Hennings Mill Rd
Williamsburg, OH 45176

Nikolas P. Mann
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

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AGREED ENTRY

This Agreed Entry is executed by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Indiana Department of Insurance ("Department"), and Mark Kirchoff ("Respondent"), a non-resident insurance producer licensed in the State of Indiana, to resolve all issues in the above cause number. This Agreed Entry is subject to the review and approval of Carol Cutter, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a non-resident insurance producer licensed in the State of Indiana, holding license number 394703; and

WHEREAS, Respondent has held license 394703 since September 11, 2000; and

WHEREAS, the Department received a complaint from Betty Shelton wherein she stated that Respondent had facilitated the sale of a certificate of deposit for \$15,000.00 to her mother, Ruth Huneke; and

WHEREAS, the certificate of deposit was purportedly issued by First Palmetto Savings Bank of Columbia, South Carolina; and

WHEREAS, Respondent has admitted that he fabricated the certificate of deposit and fraudulently accepted the money for the certificate of deposit himself; and

WHEREAS, Respondent has repaid Ruth Huneke in full; and


WHEREAS, Respondent's behavior, as alleged herein, is cause for discipline under Indiana Code 27-1-15.6-12 (b)(4) and (8); and,

WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without the necessity of a hearing;

IT IS THEREFORE NOW AGREED by and between the parties as follows:

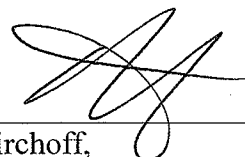
1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent's Indiana non-resident producer license shall be permanently revoked, effective immediately.
6. Respondent has carefully read this agreement and fully understands and accepts its terms.

11/10/09
Date Signed



Nikolas P. Mann, Attorney
Indiana Department of Insurance

11/15/09
Date Signed



Mark Kirchoff,
Respondent

STATE OF OHIO)
COUNTY OF Charmont) SS:

Before me a Notary Public for Hamilton County, State of Ohio,
personally appeared Mark Kirchoff, and being first duly sworn by me upon his oath, says that the
facts alleged in the foregoing instrument are true.

Signed and sealed this 6th day of November ~~October~~, 2009.

Nicole H. Janke
Signature

Nicole H. Janke
Printed

My Commissioner expires: July 12, 2014

County of Residence: Hamilton



Nicole H. Janke
Notary Public
State of Ohio
My Commission Exp.
July 12, 2014